

MARY FARRELL.

MARCH 7, 1904.—Ordered to be printed.

Mr. BURNHAM, from the Committee on Pensions, submitted the following

REPORT.

[To accompany H. R. 2110.]

The Committee on Pensions, to whom was referred the bill (H. R. 2110) granting a pension to Mary Farrell, have examined the same and report:

The report of the Committee on Invalid Pensions of the House of Representatives, hereto appended, is adopted and the passage of the bill is recommended.

The House report is as follows:

James Farrell, the husband of the beneficiary, served as a private in Company K, Third Vermont Volunteers, from July 10, 1861, to July 11, 1865, when honorably discharged.

He never applied for pension. He married the beneficiary on August 21, 1865, and lived with her until some time in July, 1870, when, while under sentence in jail for drunkenness and while permitted by the sheriff to go out to work in a lumber yard in order to earn money to pay his fine, boarding at the same time, however, at the jail, he disappeared, since which time neither the beneficiary, his brother, nor anyone at his old home has any knowledge of him, and he is believed to be dead.

While he was a drinking man, and while sometimes away from his home for a month or so before 1870, he always returned to his family.

If alive he would now be about 64 years of age.

The beneficiary, now 64 years of age, has not remarried since the disappearance of her husband, and is in destitute circumstances.

Her claim to pension under the act of June 27, 1890, was rejected in January, 1900, upon the ground of failure to prove the soldier's death and that his death under the circumstances set forth above could not be presumed.

It is believed that the soldier's absence for so many years is sufficient to raise the presumption of his death under the act of March 13, 1896, and that the beneficiary should be granted a pension at \$8 per month, such pension to cease upon proof that the soldier is still alive.

The passage of the bill is therefore recommended.